

UNITED STATES DISTRICT COURT
Northern District of CaliforniaSEIU, *et al.*,

Plaintiffs,

No. C 09-00404 WHA (MEJ)

v.

ROSSELLI *et al.*,**DISCOVERY ORDER RE
DEFENDANTS' SEPTEMBER 1, 2009
LETTER**Defendants.

On September 1, 2009, Defendants filed a letter detailing disputes that have arisen between the parties surrounding 49 subpoenas Plaintiff issued to Defendants. (Dkt. #379.) In their letter, Defendants request that the Court stay the subpoenas to allow the parties time to meet and confer regarding certain objections Defendants have to the subpoenas. According to Defendants, "Plaintiffs refuse to put a hold on the subpoenas for the parties to meet and confer in good faith for the purpose of causing a waiver of [D]efendants' and NUHW's objections by failure to timely obtain an order quashing the subpoenas."


Notably, Defendants indicate that at least one subpoena is due September 2, 2009. Thus, despite both Judge Alsup's and the undersigned's prior admonition about bringing discovery disputes before the Court well in advance of any deadlines for production or compliance, Defendants have filed their letter on the eve of a deadline. Additionally, as Defendants are well aware at this juncture, discovery disputes must be brought in conformance with the undersigned's joint letter procedure. While Defendants may contend that Plaintiffs have refused to meet and confer in good faith, thereby necessitating their filing of the letter, the correspondence between counsel that Defendants submitted along with their letter is all dated September 1, 2009. Presumably, Plaintiffs served the subpoenas before September 1. Defendants therefore had ample time to confer with

1 opposing counsel and to file a joint letter if they failed to resolve their dispute.

2 Those issues aside, Defendants have not shown that they are entitled to requested relief at
3 this time. Specifically, Defendants have failed to cite any rule or legal authority in support of their
4 request for a stay of the subpoena deadlines. Further, to the extent that Defendants object to the
5 documents and information sought via the subpoenas and therefore seek an order modifying or
6 quashing the subpoenas, Defendants have raised only generalized objections, without connecting the
7 objections to specific subpoenas. The Court therefore finds insufficient grounds to stay the
8 subpoena deadlines and Defendants request for a stay is therefore **DENIED**.

9 **IT IS SO ORDERED.**

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11 Dated: September 2, 2009



12 Maria-Elena James
13 Chief United States Magistrate Judge
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